

CHAPTER SEVEN
BIBLIOGRAPHY & APPENDICES

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7.1 2000-2010 HOUSING ELEMENT APPENDIX

Housing Implementation Programs Summary

And

The 1990 Housing Element Evaluated

And

**Public Communications Regarding the
2000-2010 Housing Element Update**

(A) Table 1: Housing Implementation Programs Summary

Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
Neighborhood Conservation					
1. Housing Inspection & Code Enforcement Program	Ensure adequate maintenance of housing stock & neighborhoods.	Continue program.	ral Fund	Planning Division; Building Division; City Council	Ongoing
2. Neighborhood Conservation Improvement Program (NCIP)	Assist low-income homeowners in rehabilitating their homes.	Rehabilitate 250 units.	CDBG; HOME	Community Services; City Council	2001-2006
3. Rental Rehabilitation Program	Improve the affordable rental housing stock.	Acquire & rehabilitate 150 units.	RDA Set-aside Funds	Community Services; Redevelopment Agency	2001-2006
4. Home Additions	Encourage affordable, compatible additions to existing homes.	Continue program.	N/A	Planning Division	Ongoing
5. Code Compliance	Ensure that structures conform to minimum Code standards.	Implement program.	Private	Planning Division; Building Division	Ongoing
6. High Quality Standards	Encourage high quality standards for construction, reconstruction, and remodels.	Implement program.	N/A	Planning Division; Building Division; Architectural Commission	Ongoing
7. Maintenance of Rental Homes in University Area	Ensure the maintenance of student-occupied homes.	Continue program.	General Funds	Planning Division; Police Department	2002 and Ongoing

Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
Housing Sites and Production					
8. Provision of Adequate Housing Sites	Designate adequate sites for housing.	Provide adequate sites; create Transit-Oriented Mixed Use designation.	N/A	Planning Division; Planning Commission; City Council	Ongoing 2002
9. Sites Inventory	Maintain an inventory of sites.	Maintain inventory; provide technical assistance.	N/A	Planning Division	Ongoing
10. Mixed Use Development	Encourage mixed-use development where appropriate.	Provide outreach/ marketing program; facilitate development of 2,700 units by 2006.	N/A	Planning Division; Planning Commission; City Council	2002 2006
11. Overlay Zone	Allow residential and mixed use on designated commercial property	Adopt overlay zone and apply to properties	N/A	Planning Division; Planning Commission; City Council	2002

Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
12. Residential Density	Encourage developers to meet or exceed minimum densities.	Implement program.	N/A	Planning Division; Planning Commission; City Council	2001-2006
13. Accessory Units	Encourage accessory units where appropriate.	Continue program; evaluate current ordinance.	N/A	Planning Division	Ongoing 2003

Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
Housing Affordability					
14. Affordable Housing Development	Increase supply of affordable ownership & rental housing.	Continue program; facilitate development of 300 units.	RDA Set-aside Funds	Community Services; Redevelopment Agency	2001-2006
15. Redevelopment Set-Aside Funds	Expand funding for affordable housing activities.	Evaluate increasing the amount of set-aside from 20% to 30%.	RDA Set-aside Funds	Finance Department; Redevelopment Agency	2002
16. Inclusionary Housing	Require larger developments to provide affordable units.	Implement program; facilitate development of 300+ units.	RDA Set-aside Funds	Planning Division; Planning Commission; City Council; Redevelopment Agency	2001-2006
17. Density Bonus	Facilitate affordable/senior housing projects through density bonus and/or other incentives.	Continue program.	RDA Set-aside Funds	Planning Division; Planning Commission; City Council; Redevelopment Agency	Ongoing
18. Regulatory Incentives/ Concessions	Reduce constraints & increase incentives to facilitate development.	Adopt land use regulations promoting affordable housing; amend Zoning Ordinance.	N/A	Planning Division; Planning Commission; City Council	2003
19. Section 8 Rental Assistance Program	Assist very low-income households with rent payments.	Continue to participate in program; maintain 483 existing vouchers.	Federal; General Fund (supportstaff)	Community Services; Building Division	Ongoing
20. Transitional Housing	Provide shelter, food & clothing for those with transitional housing needs.	Continue to contribute funds; evaluate potential constraints & amend Zoning Ordinance.	RDA Set-aside Funds; CDBG	Planning Division; Redevelopment Agency; City Council	Ongoing 2003

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Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
21. Joint Housing Ventures	Work with other public & private agencies to expand supply of affordable housing.	Continue program; facilitate development of 215 units.	RDA Set-aside Funds; CDBG	Redevelopment Agency; City Council	2001-2006
22. Preservation of At-Risk Housing	Preserve assisted projects at risk of conversion to market uses.	Assist in preservation of 100 at-risk units; conduct tenant education.	RDA Set-aside Funds; Federal Funds	Community Services; Redevelopment Agency	2001-2006
23. Shared Housing	Provide for shared housing opportunities.	Continue to contribute funds; assist 100 households.	RDA Set-aside Funds	Redevelopment Agency; Non-profit Agencies	2001-2006
24. Affordable Housing Mitigation Fee Study	Evaluate housing growth relative to increases in jobs	Conduct fee study by 2003.	Private	Planning Division; Planning Commission; City Council	2003
25. Low-Income Housing Alternatives	Support development of low-income housing alternatives.	Assist in the development of 148 units.	RDA Set-aside Funds	Planning Division; Redevelopment Agency; City Council	2001
26. Relocation Assistance	Provide relocation assistance to displaced residents.	Implement program.	RDA Set-aside Funds; CDBG; HOME	Redevelopment Agency; Community Services	Ongoing
27. Affordable Housing/ Mixed Use Legislation	Propose/support State legislation to provide further incentives for affordable housing production & mixed use development.	Continue program.	N/A	Planning Division; Community Services	Ongoing
28. Home Buyer Assistance	Expand home- ownership opportunities.	Provide 100 first-time home buyer loans.	RDA Set-aside Funds; Private	Planning Division; Planning Commission; City Council; Redevelopment Agency	2001-2006

Housing Program	Program Goal	Key Five-year Objective(s)	Funding Source	Responsible Agency/ Department	Time-Frame
Housing Opportunities					
29. Housing for the Disabled	Enhance housing opportunities for those with disabilities.	Implement ADA & State building code requirements; provide grants for accessibility improvements.	CDBG	Community Services; Building Division; Planning Division; Planning Commission; City Council	Ongoing
30. Housing Constraints For the Disabled	Determine if there are housing constraints for disabled; if any found, develop plan to mitigate or remove.	Mitigate or remove any identified housing constraints.	General Fund	Planning Division, Building Division, Housing Division, Planning Commission, City Council	Ongoing

<i>Housing Program</i>	<i>Program Goal</i>	<i>Key Five-year Objective(s)</i>	<i>Funding Source</i>	<i>Responsible Agency/ Department</i>	<i>Time-Frame</i>
31. Removal of Physical Barriers	Reduce physical barriers on public property & street rights-of-way.	Continue program.	CDBG	Public Works	Ongoing
32. Specialized Housing	Encourage provision of specialized housing.	Assist non-profits in acquiring & rehabilitating homes to be used as housing for those with special needs.	N/A	Planning Division; Community Services; City Council	Ongoing
33. Condominium Conversions	Ensure condominium consistency with Ordinance requirements.	Review condominium conversion proposals for conformance to ordinance.	General Fund	Planning Division; Planning Commission; City Council	Ongoing
34. Tenant-Landlord Services	Make tenant-landlord services available.	Continue to refer complaints to appropriate agencies.	General Fund	Community Services; City Council; Non-Profit Agencies	Ongoing
35. Fair Housing Program	Further fair housing practices in the community.	Continue to fund program & make referrals.	CDBG	Community Services; City Council; Non-Profit Agencies	Ongoing

Five-Year Goal Summary:

TOTAL NEW UNITS TO BE ACCOMMODATED: 6,339 units (1,294 very low, 590 low, 1,786 moderate, 2,669 above moderate)

TOTAL UNITS TO BE REHABILITATED WITH CITY ASSISTANCE: 455 units (155 very low, 300 low)

TOTAL UNITS TO BE CONSERVED: 483 very low-income (Section 8) rental subsidies, 100 assisted units at low risk of conversion

(B) THE 1990 HOUSING ELEMENT EVALUATED

Santa Clara last adopted its Housing Element in 1992 (1990-2005 General Plan). The Element's regional housing objectives encompassed the 1988 to 1995 period and call for the City to plan for 5170 housing units. Actual construction was 1,963 units, 38% percent of the objective. Much of this period was impacted by a recession that dramatically dampened the private housing market. For comparison, the nine years prior (1980 to 1988) saw the construction of 3,688 housing units in Santa Clara.

More recently in the decade of the 1990s, 2,418 housing units were built, bringing the total housing stock to 39,630 on April 1, 2000. The ABAG Projections 90 estimated 41,130 households by 2000, which would translate to 42,315 housing units at current vacancy rates. During the past decade, the City saw the construction of only 47% of its expected housing.

During the prior Fair Share planning period of 1988 through 1998, 2,524 new units were built. Of these, 106 or 4.5% were restricted for very low income households, one was for a low income household (.04%), 89 were for moderate income households (3.4%).

In the past, the only established program in the City to encourage affordable housing was a ten percent goal in the General Plan. As a result, less than 20 percent of the identified affordable housing needed in the City has been produced in the last 10 years. Of the 2,524 total new housing units built 1988 through December 1998, 106 (4.5%) were designed to be affordable specifically to lower income households. Eighty-nine constructed during this period were affordable to moderate income households. Their construction can be attributed to the Santa Clara County Mortgage Revenue Bond Program, County Housing Authority, and the City's Redevelopment Agency's Set-Aside Funds. Although other units affordable to lower and moderate income households were constructed, there is no regulation of the rents or prices of these units. The needs of certain groups of community residents such as senior citizens and lower income households could have been more effectively met if the Housing Element had established a more specific implementation program and had more funding been available.

The last mobile home park in the City, which provided affordable housing opportunities for one hundred units, was also eliminated due to economic redevelopment for higher density housing.

Of the 67 potential housing sites identified in the 1990 Housing Element, eighteen have already been developed residentially, ten have been rezoned for 2,082 dwelling units, and thirty-five have been designated in the General Plan for housing.

This Element, which replaces the 1990 Housing Element, includes policies and programs which implement the City's commitment to better meeting the housing needs of senior citizens, low and moderate income families and other population groups with special housing needs. The Element utilizes the best available data where possible and will be updated as more 2000 Census Data becomes available. The Element responds to the requirements of Government Code Section 65583(a)(8) regarding assisted housing "at risk" of conversion to market-rate.

A major change since the 1990 Housing Element is the ongoing success of the Redevelopment Agency Low and Moderate Income Housing Fund. Using twenty percent of the Agency's tax increment revenues, the Fund assists the creation and conservation of affordable housing in Santa Clara. In 2000, the annual contribution to the Fund reached nearly four million dollars.

Another major event was the approval of the Rivermark Community Plan for the surplus Agnews property. The prior Housing Element listed this property as a housing site with the potential for 1700 units. The final approval permits 3020 housing units on the site, an increase of 78%. Construction of 483 units has already been completed as of June 2001.

The 1990 Housing Element included 38 implementation programs that are evaluated below based on performance during the 1988 through 2000 period.

- (i) Provide Redevelopment Agency Housing Fund assistance to ownership and rental housing. The City's Redevelopment Agency (RDA) Housing Fund will give consideration to user preference and community housing ratio when providing housing assistance to either ownership or rental housing. Emphasis will be placed on programs that create rental housing for the senior population, home ownership for moderate income families that are first-time buyers and rentals for lower income families, with first priority being given to those who currently live in or are employed in the City.

Responsibility:	Redev. Agency
Target Date:	Ongoing
Funding Source:	Redevelopment Housing Fund

Results: The RDA Housing Fund was initiated in 1990 and took several years to get up to speed. Between 1990 and 1995, the Agency assisted in the development or acquisition of 306 affordable housing units. Between 1990 and 2001, a total of 1,279 affordable units have been assisted or approved. Of these, 51% of these are for very low income households, 28% for low income and 21% for moderate income households.

Analysis: RDA funding has become the largest steady source of affordable housing financing in the community. Since its inception in 1990, the fund has received \$30 million plus another \$5.8 million in interest. It has been leveraged to obtain a wide variety of other funding, including Federal, State, tax credits and private.

Update: This program will remain the foundation of the City's affordable housing efforts, generating an average of four million dollars annually.

- (ii) Encourage Mixed Use development where appropriate to provide increased opportunities for housing development. The General Plan land use designation has been changed to Mixed Use for those one-acre or larger commercial or office properties located near existing residential neighborhoods and support services. Implemented through applicant-initiated Planned Development zoning, mixed use allows a ground floor of commercial plus one or more stories of residential. The major incentive is the enhanced economic return and the mutual market support of

the different uses.

Responsibility:	Planning Div., Planning Comm., City Council
Target Date:	1992 and Ongoing
Funding Source:	Not Applicable
Housing Unit Count:	1580 units through 2005

Results: As the amount of vacant land diminishes, redevelopment of the older commercial areas will become the largest land resource for new housing. The previous General Plan substantially increased the area for mixed residential/commercial use to over 200 acres. The first project was approved in 1989 and consisted of 62 dwelling units over 28,000 square feet of retail space. Four mixed use projects with residential have been approved and built in Santa Clara, totaling 152 housing units.

Analysis: The amount of mixed use development has been less than anticipated. There are several non-governmental constraints working against mixed use. Property owners may be satisfied with the existing commercial returns. Financing is difficult for mixed use because it is relatively unusual in this area. Developers are uncertain of its feasibility in the marketplace.

Update: The new Housing Element and draft update of the Land Use Element add more land to the mixed use district and recommends changes to the Zoning Ordinance to create additional incentives for residential use. The one acre minimum lot size has been deleted and the inclusion of residential in any new development within mixed use areas is promoted through zoning incentives.

- (iii) Continue to work with the Housing Authority of Santa Clara County to expand its ability to create low and moderate income housing. In November 1988, the City and Authority placed on the ballot and the voters approved under Article XXXIV of the State Constitution the creation of 300 units of subsidized housing in Santa Clara. Redevelopment Housing Funds are available to package with Housing Authority financing. Separately, staff will continue to inspect dwelling units proposed for Section 8 certificate use.

Responsibility:	Community Svcs., Bldg. Div., Redev. Agency
Target Date:	Ongoing
Funding Source:	Redevelopment Housing Fund
Housing Unit Count:	300 units with Article XXXIV referendum approval

Results: The Housing Authority and Redevelopment Agency have successfully partnered on five projects totaling 100 units, most designated for very low income households. Two additional projects with 200 units have been approved but not yet constructed.

Analysis: This program has met its goals. Legal opinions have determined that most affordable projects do not require Article XXXIV approval.

Update: The updated Element retains this program.

- (iv) Require a percentage of all new or renovated units to provide for the special housing needs of the disabled.

Responsibility: Community Svcs., Bldg. Div., Planning Div.,
Planning Comm., City Council
Target Date: 1992 and Ongoing
Funding Source: Not Applicable

Results: The State Building Code adopted by the City and the Federal Americans with Disabilities Act require specific provisions for the handicapped, depending on the type of housing. The City implements these requirements.

Analysis: New construction and substantial remodel of multifamily housing since the 1980s have included accessible units.

Update: The updated Element retains a similar program.

- (v) Use Community Development Block Grant funds, to the extent available, to provide developmentally handicapped adults with housing assistance.

Responsibility: Community Svcs.
Target Date: Ongoing
Funding Source: CDBG (Community Development Block Grants)

Results: RDA funds were used to provide twenty-three rental units in a large apartment complex as accessible and designated for low income developmentally disabled. The project opened in late 2000.

Analysis: Although a different funding source was used, the objective was accomplished.

Update: A rewritten version of this program providing for a broader range in funding is included in the updated Element.

- (vi) Reduce physical barriers to the handicapped on public property and street rights-of-way.

Responsibility: Public Wks.
Target Date: Ongoing
Funding Source: CDBG

Results: Between 1995 and 2001, \$1,161,578 from the Block Grant Program was spent on removal of barriers to the handicapped for fourteen projects. The focus was on corner curbs, public facility entries and access to public bathrooms.

Analysis: This is a very successful, ongoing program. The City's ADA Committee, which includes disabled representatives, makes recommendations on the use of the funds.

Update: The Housing Element update retains this program.

- (vii) Encourage the provision of special housing needs for those with sensory, physical and/or mental disorders; or for group care, emergency housing and foster homes,

where appropriate. Residential care homes for six or fewer residents are permitted in residential zones. Assistance for acquisition and rehabilitation of such homes is available from the City through existing programs of Community Development Block Grants and the Redevelopment Housing Fund. In 1989/90, the City provided \$80,000 and a vacant residential lot to Adult Independence Development Center to build a transitional housing facility for developmentally disabled adults.

Responsibility: Planning Div., Community Svcs., City Council,
Redev. Agency
Target Date: 1992 and Ongoing
Funding Source: CDBG, Redevelopment Housing Fund
Housing Unit Count: 1 residential care facility by 1995

Results: Between 1988 and 1995 the City assisted with the construction or acquisition of two group homes for those with special needs. A twelve bed shelter for runaway teens was built in 1994. Since 1995, the City has assisted in the acquisition of four group homes to house up to 24 persons with special needs. Since 1995, an existing triplex was acquired and rehabilitated for 6-8 homeless teens, age 17 to 19. A five-unit apartment and adjacent single family home were acquired since 1995 to serve homeless young parents and their children. In 2001, a group home for those with neurological disorders was purchased with CDBG and HOME funding assistance. Also in 2001, construction was completed on a 24 unit transitional housing facility for victims of domestic violence.

Analysis: The objective of this program was exceeded.

Update: The Housing Element update retains this program.

- (viii) Work with non-profit entities to acquire existing multi-family structures which may be maintained as affordable rental housing.

Responsibility: Community Svcs., City Manager, Redev.
Agency, non-profit housing developers such as
First San Jose Housing and Community
Housing Developers
Target Date: 1995
Funding Source: Redevelopment Housing Fund, Rental
Rehabilitation (or successor)
Housing Unit Count: 20 units

Results: Between 1988 and 1995, existing apartments with 116 units were purchased by non-profits with City assistance. This program's objective was to rehabilitate and preserve affordable housing.

Analysis: This program provides an excellent way to retain existing lower cost rentals that are in need of upkeep. Acquisition by a non-profit ensures the affordability and maintenance of the units over the long term. The Rental Rehabilitation Program has been eliminated by the Federal government and is now longer an available source of funds.

Update: This program is retained with the deletion of the Rental Rehabilitation

Program and increased levels of Redevelopment Housing Funds. The housing objective is substantially increased to 150 units during the 2000 to 2006 period.

- (ix) Disperse, and monitor the dispersal of, affordable units in various areas of the City.

Responsibility: Planning Div.
Target Date: Ongoing
Funding Source: Not Applicable

Results: The North of Bayshore area has been the site of much of the new housing in the City approved and built since 1995. Because there are relatively few other areas with large vacant housing sites in Santa Clara, the three largest 100% affordable housing projects are in the North of Bayshore area. Each of these will be owned and managed by a non-profit or governmental agency, better ensuring the long term maintenance and quality of the project. On the positive side, there have been several smaller new construction projects of affordable housing, acquisition of existing housing, and inclusion of affordable units in market housing complexes scattered throughout the City.

Analysis: The location of affordable units has thus been dispersed as much as possible without sacrificing the number of units

Update: The focus of new housing during the next ten years will shift to the existing El Camino Real commercial strip and redevelopment sites south of the Caltrain line. This will further disperse affordable units in Santa Clara.

- (x) Do not permit condominium conversions if the percentage of rental units in the City drops below 40 percent. The City shall review condominium conversion proposals for conformance to the Planned Development ordinance requirements. Existing tenants shall be given preference to purchase their unit and compensation if forced to relocate.

Responsibility: Planning Div., Planning Comm., City Council
Target Date: Ongoing
Funding Source: Not Applicable

Results: The continuing strong demand for rental units has kept interest in condominium conversions low. Since 1985 market conditions have not promoted condominium conversions and the City has reviewed and approved only a few. There have been no conversions since 1996. The City did approve an ordinance amendment allowing for investment apartments. This is a new concept where smaller investors could purchase two units in a large complex for continued rental only. This concept has not yet been implemented.

Analysis: This program has had no impact on the housing market. The 2000 Census found that the current percentage of rentals is over fifty percent.

Update: The update will retain this program in case the market shifts to favor condominium conversions. However, as the City is now over one half

renters, the prohibition triggered by the rental percentage has been deleted.

- (xi) Review additional sites for possible designation as residential or mixed use, considering their location relative to existing residential uses, support services and environmental suitability.

Responsibility: Planning Div., Planning Comm., City Council
 Target Date: 1995
 Funding Source: Not Applicable

Results: Between 1988 and 1995, 139 acres were redesignated for residential or mixed use. A total of 1976 housing units have been built to date on these properties. Since 1995 the General Plan has designated an additional 312 acres for residential or mixed use.

Analysis: Most of the redesignation has occurred on commercial or public property. Santa Clara's industrial area utilizes significant quantities of hazardous materials in its manufacturing processes that need to be clearly separated from residential use. In addition, introduction of residential in most industrial areas would create residential islands isolated from services such as retail, parks and schools, and would place residents in proximity to hazardous materials.

Update: The Housing Element and Land Use updates have designated additional mixed use areas and increased the densities of certain residential uses. Transit has been added to the factors identified for residential support.

- (xii) Require developers of residential developments of 10 or more units to provide at least 10 percent of their units at rents or prices affordable to low and moderate income households, provided Redevelopment Agency housing funds are available.

Responsibility: Planning Div., Planning Comm., City Council, Redev. Agency
 Target Date: Ongoing
 Funding Source: Redevelopment Housing Fund
 Housing Unit Count: 100 units through 1995

Results: As the RDA Housing Fund accumulated money, implementation of the City's inclusionary housing program became possible. Between 1990 and 1995, the RDA funded 59 affordable units as part of private developments. Since 1995, it has approved 110 additional units as inclusionary affordable housing.

Analysis: The Council recently rejected a proposal to make inclusionary housing mandatory and internally financed by private development. The concern was that such a requirement would increase the cost of market rate housing and might discourage some housing development in the City. As long as RDA funds are available to finance the ten percent affordable units, the current program can be

successful. However, ten percent is far below the 58% proportion of affordable units identified as the City's Regional Fair Share Housing objective for lower and moderate income households.

Update: The Housing Element update retains this program. The use of RDA funds for projects with far more than ten percent affordable (several with 100 percent) will help to increase the total affordable share in the City. The growing success of the program has been reflected in the increased housing objective from 100 to 300 units in the 2000-2006 period.

- (xiii) Identify appropriate sites for affordable housing. The City can aid developers of affordable housing by selecting sites for affordable housing in advance and encouraging development proposals for sites so identified. Some City owned property along the El Camino Real Re-route has been designated for Mixed use in the General Plan. These sites provide incentives for the construction of affordable housing. The City shall maintain an inventory of vacant land usable for this purpose. The City will also provide information and technical assistance on Federal and State funding sources or referrals to appropriate agencies.

Responsibility: Planning Div., Redev. Agency
 Target Date: Ongoing
 Funding Source: Not Applicable

Results: See Program xi above. Of the 67 sites identified for housing in the 1992 Element, 28 have been built on or approved for residential development, adding 744 new units.

Analysis: Although the pace of housing construction in the early 1990's was constrained by the poor economy, the number of approvals has definitely improved and 2001 will be one of the highest years, if not the highest, for residential permits in more than a decade. This program was helpful to developers in identifying sites suitable for housing development.

Update: This program has been retained and expanded to include efforts to promote development of the sites for new housing.

- (xiv) Provide density bonuses or equivalent financial incentives for housing projects which include affordable housing units, consistent with State law requirements.

Responsibility: Redev. Agency
 Target Date: Ongoing
 Funding Source: Redevelopment Housing Fund

Results: Although the City did not adopt a local density bonus ordinance until 2000, the Planned Development zoning district provided the flexibility for allowing incentives for affordable units.

Analysis: During the time period of the prior Housing Element, there was no interest in using such incentives to economically justify affordable units. Apparently, the added density was not enough to justify the reduced revenues for affordable units. The adopted ordinance has a

lower threshold for density bonus qualification than State law, providing stronger incentives for use of the program. The City's ordinance provides for a bonus or other incentive if the developer proposes fifteen percent lower income units, or five percent very low and five percent lower, or fifty percent senior units.

Update: The density bonus law was used once in 1999 for a small lot housing project. This program is retained in the update with the additional reference to senior units as a qualifying factor.

- (xv) Do not limit the number of bedrooms which may be added to existing residences with the required parking. Encourage affordable, unobtrusive one-story additions for upgrading older single family homes. As mandated by State law, accessory units are conditionally permitted on R-1 lots that have sufficient additional lot area.

Responsibility: Planning Div.
Target Date: Ongoing
Funding Source: Not Applicable

Results: Due to concerns about overcrowding and the aesthetic impacts of very large homes, the Planning Commission adopted a policy to review all applications for single family homes resulting in more than five bedrooms.

Analysis: Some five plus bedroom homes were approved on large lots but others were required to reduce the bedroom count and/or the overall size of the proposed house. The current single family zoning ordinance allowances and design guidelines are under study.

Update: This program has been rewritten to encourage affordable and compatible additions to existing homes.

- (xvi) Evaluate the existing accessory unit ordinance adopted in 1983 to determine if changes are needed.

Responsibility: Planning Div., Planning Comm., City Council
Target Date: 1993
Funding Source: Not Applicable

Results: Accessory units were added as a conditional use in both of Santa Clara's single family zones. A minimum lot size of 7,000 square feet and one open parking space are required for the second unit. Approximately eighty applications for accessory units have been made since the ordinance amendment allowing such units in 1983. Seventy have been approved. The requirement that the accessory unit be attached to the main house was eliminated to encourage more applications.

Analysis: The ordinance was liberalized in 1995 to encourage more applications with some positive results. More applications were expected based on our estimate that 10 to 15 percent of all single family lots have over 7,000 square feet. With over 3,000 qualifying lots in the City, the potential for the addition of accessory units is still

high. Apparently, the benefits of an accessory unit have not been enough for most homeowners. The City will review its ordinance and consider further reducing some requirements.

Update: The program is retained in the update with the addition of a promotional effort to increase the number of accessory units.

- (xvii) Cooperate with the County of Santa Clara Housing Bond coordinator for the issuance of Mortgage Revenue Bonds for projects and for the issuance of Mortgage Credit Certificates for first-time home-buyers.

Responsibility: Community Svcs.
Target Date: Ongoing
Funding Source: City's Bonding Authority

Results: Through the County of Santa Clara, the City participates in a Mortgage Revenue Bond Program. Since 1985, the emphasis has been on single family ownership. The 1985-88 bond issue included funding for three Santa Clara projects totaling 71 units earmarked for first time homebuyers. In addition, the City allocated some of its bonding authority to the Mortgage Credit Certificate Program (MCC), also under County of Santa Clara auspices. The MCC available for Santa Clara between 1988 and 1995 resulted in 756 new homeowners. From 1995 through 2000, 96 new homebuyers benefited. The program has been partially supplanted by the RDA's First Time Homebuyers Program.

Analysis: Changing financial conditions may make this program more useable in the future.

Update: This program is retained in the update. Program (xxxii) focuses on the more active RDA efforts for homeownership.

- (xviii) Continue to participate in and promote the Section 8 Existing Housing Program. Inspection staff will make special inspections of existing units proposed for use by Section 8 certificate holders. Santa Clara's Project Self-Sufficiency utilized Section 8 certificates as a resource for single parent AFDC families.

Responsibility: Community Svcs., Bldg. Div.
Target Date: Ongoing
Funding Source: General Fund supported staff
Housing Unit Count: 483 existing Section 8 units

Results: This is an important program allowing lower income household access to existing rental units. It is administered by the County Housing Authority and funded by the Federal government.

Analysis: As of May 31, 2001, there were 685 Section 8 certificates, of which 229 were for disabled individuals. There was a waiting list of 974 residents, 167 of whom were disabled.

Update: This program is retained.

- (xix) Evaluate what can be done to remove or mitigate constraints to maintain, improve

and develop adequate housing for all those who wish to reside in the City.

Responsibility: Planning Comm., Planning Div.
 Target Date: Ongoing
 Funding Source: Not Applicable

Results: As written in 1992, this item is too broad and vague to evaluate.
Analysis: It should be deleted and replaced with programs that identify specific constraints that can be reduced with a target date and potential housing objective.
Update: Programs (iii), (v), (vi), (viii), (xiii), (xv), (xix), (xxiv), (xxxvi) and (xxxxii) all address the mitigation of specific constraints to the provision of a decent, affordable housing.

- (xx) Assist in funding, to the extent that Community Development Block Grant or RDA Housing Fund monies are available, locally administered programs that provide shelter, food and clothing for homeless families. Support efforts to enlarge the Family Living Center at Agnews Development Center's Santa Clara campus to serve the shelter needs of Santa Clara. State Legislation has authorized a second building at Agnews for a shelter if not needed for other State purposes. The building could accommodate 20 families or 80 individuals as a shelter.

Responsibility: Redev. Agency, City Council
 Target Date: Ongoing
 Funding Source: Redevelopment Housing Fund, CDBG

Results: The redevelopment of the Agnews property provided the vehicle for the construction of a new homeless family shelter. The Sobrato Family Living Center has thirty-three apartment units with a second phase of eighteen transitional units. This style of shelter is far more satisfactory for families than the previous dormitory. The RDA is contributing \$2.5 million over five years for capital costs and the City's CDBG program underwrites some of the annual shelter costs. The State of California, Sun Microsystems and the Sobrato Family Foundation are other major contributors to this facility. The RDA also contributed to the construction costs of the Bill Wilson Center for runaway teens, acquisition of a five unit apartment for teenage mothers and a battered women shelter with 24 beds.
Analysis: This program has far exceeded its objective both in number of units and in the breadth of clients served.
Update: The housing objective has been increased to reflect the activity in the 1999-2006 period. References to specific projects and organizations have been deleted. The funding qualifier has also been deleted to be consistent with other programs.

- (xxi) Amend the Zoning Ordinance to allow homeless shelters and transitional housing as conditional uses in appropriate commercial and quasi-public zones.

Responsibility: Planning Div., Planning Comm., City Council

Target Date: 1993
Funding Source: Not Applicable

Results: The Planning Commission did not recommend an amendment to the Zoning Ordinance to allow shelters in a specific zone.

Analysis: Existing shelters have been approved in the Planned Development and Commercial Thoroughfare zones. One is a 33 unit apartment style homeless family shelter and the other is a 20 bed shelter for teens. The Commission has accepted the staff recommendations of approval in these situations. The lack of specific zoning ordinance authorization has not been an obstacle to new shelters.

Update: The update calls for Ordinance amendments allowing these facilities in certain appropriate commercial zones.

- (xxii) Continue to refer Tenant-Landlord complaints to an agency offering mediation. The City funds Project Sentinel to handle the initial contact, mediation and follow-up, with effective resolution of the complaints as the goal.

Responsibility: Community Svcs., Project Sentinel, City Council
Target Date: Ongoing
Funding Source: General Fund

Results: Santa Clara contracts with a non-profit service agency for mediation of rent and other tenant - landlord disputes. Information and counseling is available for both parties. If needed, voluntary mediation is conducted for rent increases. The Santa Clara Tenant Association has supported this service agency. Over the past five years, there have been 1,835 cases and 1,511 dispute resolutions through reconciliation and mediation. Their average caseload is 367 per year. Funding comes from the City's general fund.

Analysis: Project Sentinel has successfully handled tenant-landlord issues for many years. This is an ongoing program that should be continued.

Update: The Housing Element update retains this program.

- (xxiii) Provide referral services and promotional support to link those experiencing discrimination in housing with public or private groups who handle complaints against discrimination. Through its contractor, Project Sentinel, the City funds pamphlets explaining fair housing services. Through the Tri County Apartment Owners Association, the City contributed to a Rental Housing Handbook that provides guidance to both tenants and landlords. Continue to seek state and federal enforcement of fair housing laws and continue to cooperate with local agencies investigating claims of discrimination.

Responsibility: Community Svcs., Project Sentinel, City Council
Target Date: Ongoing
Funding Source: CDBG

Results: Using CDBG funds, the City has a contract with a non-profit service agency to provide fair housing services. It provides counseling,

investigation, mediation and an attorney referral service for follow-up on documented discrimination cases.

Analysis: This is a successful program that should be continued.

Update: The Housing Element update retains this program.

- (xxiv) Use Redevelopment Low and Moderate Income Housing Fund to assist in creating and/or preserving affordable housing units. Through 1995, it is estimated that the Fund will accrue approximately 15 million dollars. The Redevelopment Agency has allocated 40 percent to affordable housing preservation and development, 30 percent to senior affordable housing, 15 percent to mortgage assistance to first time homebuyers, 5 percent to homeless assistance and 10 percent to housing services and administration.

Responsibility: Community Svcs., City Mgr., Redev. Agency

Target Date: 1992 and Ongoing

Funding Source: Redevelopment Housing Fund

Housing Unit Count: 225 Units through 1995

Results: Between 1990 and 1995, the RDA Housing Fund did accrue approximately \$10.4 million in tax increment set aside monies. Projects with 217 housing units were assisted with those funds.

Analysis: Although the program did not quite meet its first five year objective, progress since then has increased substantially. Approximately \$18.3 million were accrued between 1995 and 2000. Affordable projects with 1062 units were assisted and the pace is continuing into the next Element period.

Update: It is estimated that the RDA will allocate approximately \$20 million to the Housing Fund between 2001 and 2006. This program is retained and the housing objective for affordable units has been increased to 300 units.

- (xxv) Combine public and private funds in joint housing ventures. The City will consider participating with other local jurisdictions to provide affordable housing in areas where developable land is not as scarce and housing prices not as high.

Responsibility: Redev. Agency, City Council

Target Date: Ongoing

Funding Source: Redevelopment Housing Fund, CDBG

Results: The City has participated in joint financing of housing services and shelters provided in other nearby cities. However, there are legal and political constraints on Santa Clara constructing housing outside the City or in using RDA funds outside the City. No housing units have been produced under this program.

Analysis: State law has been loosened slightly to allow this possibility in the future but local politics will be a key determinant. As a city with limited housing sites, Santa Clara would be interested in investing in affordable units in nearby cities.

Update: The program is retained but without a housing objective since the

likelihood of production is low.

- (xxvi) Preserve existing assisted housing through the Federal Low Income Housing Preservation and Resident Home Ownership Act of 1990. Up to 40 percent of available Redevelopment Housing Funds will be utilized to prevent the loss of this housing for low and moderate income households. Of immediate concern are the 86 units at Lawrence Apartments which could convert to market rate by May 1994. The city will work with HUD, the County Housing Authority and local non-profit housing developers to facilitate this preservation.

Responsibility: Community Svcs., City Mgr., Redev. Agency
 Target Date: Ongoing
 Funding Source: Redevelopment Housing Fund, Federal Funds
 Housing Unit Count: 86 units through 1995

Results: The Lawrence Apartments (HUD Section 23a) did become an issue in 1994, with the result that 86 apartments were converted to market rate housing. The Civic Plaza Apartments (HUD Section 221(d)) owners converted 111 units in 1995.

Analysis: The City and the County Housing Authority assisted all in-place tenants in both complexes who qualified for tenant-based subsidies in receiving Section 8 vouchers for rental assistance.

Update: Over the next ten years, no projects with affordable units will become at risk of converting to market rate. This program is retained in the update and the City is committed to addressing this concern in the future as needed.

- (xxvii) Continue to assist in funding programs designed to create shared housing arrangements for seniors and families.

Responsibility: Redev. Agency
 Target Date: Ongoing
 Funding Source: Redevelopment Housing Fund

Results: The City contracts with Project Match and Catholic Charities to provide home sharing services to both seniors and families. Annually, the combined effort of these agencies is able to assist an average of 20 households.

Analysis: This program is very successful in getting the most out of the existing housing stock and assisting elderly homeowners to remain in independent living situations longer.

Update: The update retains this program and establishes a housing objective of 250 households between 2000 and 2006.

- (xxviii) Require housing impact studies as part of project-related environmental reviews for new developments or businesses that generate a high number of jobs.

Responsibility: Planning Div.
 Target Date: Ongoing

Funding Source: Private

Results: Since 1992, all employment generating proposals requiring an Environmental Impact Report have included a jobs/housing analysis.

Analysis: This information is available to decision-makers and has heightened awareness of the need to provide a better balance between housing and job growth. For example, in the approval of the Rivermark project on the Agnews property, the Council increased the amount of residential land to accommodate 300 additional housing units.

Update: The update retains this program and includes consideration of a housing impact fee for major employment generating developments.

- (xxix) Promote home ownership, particularly for first time buyers, through single family, townhouse and condominium construction, conversion of rental to condominium where appropriate and Redevelopment Housing Fund assistance.

Responsibility: Planning Div., Planning Comm., City Council, Redev. Agency

Target Date: Ongoing

Funding Source: Redevelopment Housing Fund

Results: The 2000 Census indicates that the percentage of homeownership has slipped slightly in the past ten years. The building permit data for the same period would suggest an even greater growth of rental units implying that ownership of existing single family homes and condominiums has increased somewhat. The RDA First Time Homeowner Program has assisted 219 households to buy in the City.

Analysis: The First Time Homebuyer Program is a popular and moderately successful program. The major constraint is the high cost of units and the resulting few homes within the allowable purchase limit. The sales price limit and mortgage amounts have been increased several times to try to keep up with the market. Currently the maximum sales price is \$400,000. The Council has always been willing to increase the allocation to this program when funds are needed. Long term affordability of these homes is not provided.

Update: The update retains this program and sets a housing objective of 150 units through 2006.

- (xxx) Support development of Single Room Occupancy (SRO) units as a low income housing alternative. Support can take the form of Redevelopment Housing Fund assistance, City owned land for a site, or ordinance amendment or variance based on SRO's unique characteristics.

Responsibility: Planning Div., City Council, Redev. Agency

Target Date: 1993

Funding Source: Redevelopment Housing Fund

Results: Although an SRO project was pursued on City property in the early 1990's, the site was eventually pre-empted for a new Police building. An alternative site was identified in 1998 and the Mid-Peninsula Housing Coalition was selected to construct a 148 unit SRO. Approval was granted in 2000 and construction is planned in late 2001.

Analysis: The affordability of the SRO was reached through the write down of RDA owned land and a variety of funding sources. There was opposition to the project from the neighbors who were concerned about the density and reduced parking for this project. The City Council, however, unanimously approved the application and parking variance. Having a successful first SRO should make subsequent proposals easier to approve.

Update: This program is retained in the update with a 148 unit project objective.

(xxxix) Continue to apply for and utilize Community Development Block Grant Funds to assist low and moderate income housing and related services.

Responsibility: Community Svcs., City Council
 Target Date: Ongoing
 Funding Source: CDBG

Results: As a Federal entitlement jurisdiction, Santa Clara has received CDBG funds every year since the program was initiated. Santa Clara has also been designated a Participating Jurisdiction since the inception of the HOME Program in 1992. Seven non-profit agencies providing housing services have been funded each year using CDBG funds. An average of 66 low income owner occupied homes were rehabilitated each year and eight units of affordable housing were added to the City's inventory through these funds.

Analysis: CDBG and HOME funds are a steady and flexible source of money for assisting lower income households. Between 1995 and 2000, \$8,067,000 was received by the City from these programs.

Update: This program has been modified to include the HOME program and continued in this Housing Element.

(xxxix) Continue to support the Bill Wilson Center shelter for runaway youth. The City is currently providing both annual administrative funds and capital assistance for the construction of larger shelter.

Responsibility: Community Svcs., City Council, Redev. Agency
 Target Date: Ongoing
 Funding Source: CDBG, Redevelopment Housing Fund

Results: The City has been a strong supporter of efforts to protect runaway and homeless teenagers. The RDA has provided \$980,000 for a twenty bed shelter, \$400,000 for acquisition and rehab of a five unit project for homeless teen mothers and

\$375,000 for transitional housing for six to eight homeless teens. The CDBG program provides operating funds for the Bill Wilson Center as well.

Analysis: This has been a very successful program.

Update: This program is retained in the update, although the reference to a specific agency has been deleted.

- (xxxiii) Maintain and expand where appropriate a strong housing inspection and code enforcement program to ensure adequate maintenance of the housing stock and quality of the residential neighborhoods. Special attention shall be given to maintaining the stability of residential neighborhoods through development and enforcement of minimum standards of allowed use of the City's streets and public right-of-way areas, as well as maintenance of open space areas in front yards and other yard or private open space areas visible from the public right-of-way.

Responsibility: Planning Div., Bldg. Div., Planning Comm., City Council

Target Date: 1992 and Ongoing

Funding Source: CDBG, General Fund

Results: The City funds housing inspection and code enforcement for private property issues. The City's Street Department handles public right-of-way concerns. Most concerns are resolved through an inspection and mail notification of violation. If necessary, chronic violations have been cited through the judiciary process. This is a cumbersome and time consuming procedure.

Analysis: In response to the judicial problems, the City has adopted an administrative citation process. This will enable a faster and more controllable mitigation of violations. Staff can now issue a citation with a specified fine and internal appeal procedure. Failure to pay the fine can be converted into a property lien.

Update: The update retains this program.

- (xxxiv) Rehabilitate rental units where at least 51 percent are preserved for lower income households when funding is available.

Responsibility: Community Svcs., City Council

Target Date: Ongoing

Funding Source: Rental Rehabilitation, CDBG

Housing Unit Count: 20 Units Annually

Results: The City used the Federal Rental Rehabilitation Program during the early years of this Housing Element period. The program was never very popular because of the tenant income restrictions needed to qualify. HUD terminated this program in 1992.

Analysis: RDA, HOME and CDBG Funds have been used to address the ongoing maintenance of privately owned, low income rental properties. For newly funded affordable housing projects, the City usually requires non-profit ownership and establishment of a maintenance/repair reserve to ensure affordability and quality

maintenance in the future.

Update: The purpose of this program is retained although the funding mechanism has changed. A housing objective of 365 units between 2000 and 2006 has been set.

(xxxv) Rehabilitate low income owner occupied housing through the City's Neighborhood Conservation Improvement Program (NCIP) when funding is available.

Responsibility: Community Svcs., City Council
 Target Date: Ongoing
 Funding Source: CDBG
 Housing Unit Count: 30 Units Annually

Results: Prior to 1995, this program was improving approximately thirty units annually. More recently, the funding allotment has been increased and HOME funds have been added to the CDBG monies. Between 1994 and 1999, 316 units were improved.

Analysis: The NCIP has consistently provided for the rehabilitation of fifty or more single family homes a year. Improvements range from a minimal grant of \$5,000 for accessibility or emergency repairs up to \$100,000 for complete reconstruction. The program has had important spin off effects on neighboring properties.

Update: This program is retained with the addition of HOME funding and an increased objective to fifty annual units.

(xxxvi) Cooperate, on a fee basis, with local lending institutions which require conformance with minimum Code standards prior to financing of residential structures.

Responsibility: Planning Div., Bldg. Div.
 Target Date: Ongoing
 Funding Source: Private

Results: When requested by lending institutions or property owners, and with a nominal fee, the City will inspect homes prior to sale to determine code compliance. In the early 1990's, when the market was slow, this request was more common. In recent years with a very strong market, many sales were made on an as-is basis.

Analysis: Inspections at the time of sale can play an important role in correcting past zoning and construction errors.

Update: This program is retained in this Housing Element update.

(xxxvii) Maintain and encourage consistent and high standards for residential construction, reconstruction and remodels.

Responsibility: Planning Div., Arch. Comm.
 Target Date: Ongoing
 Funding Source: Not Applicable

Results: Santa Clara has a proactive and quality Building Inspection Division

that ensures construction meets the current Uniform Building Codes. The 1989 Loma Prieta Earthquake caused relatively little damage in structures built under modern codes.

Analysis: New construction is a routine process and substantial reconstruction or remodels are required to meet current codes. An exception is made for historic structures where the improvements would threaten the historic fabric and allowances can be made under the State Historic Building Code. The City works with the owners of historic structures to develop an upgrade that is sensitive to the original but improves the safety where possible.

Update: This program is retained in the update.

(xxxviii) Continue the multi-family residential housing inspection program. City inspection staff will aggressively pursue elimination of overcrowding whenever discovered.

Responsibility:	Bldg. Div.
Target Date:	Ongoing
Funding Source:	General Fund

Results: Between 1992 and 2000, one of the City's Housing Inspectors has devoted one half of his time to the routine inspection of multiple family rental units. About 10 percent of the dwelling units are inspected at least every other year. The other half of the Inspector's time is responding to complaints about housing conditions.

Analysis: This has been an important program that maintains the basic quality of the City's rental stock.

Update: This program has been reworded to include education of property owners and tenants.

The above review identifies, paragraph by paragraph, which policies and programs have been continued and/or improved. Policy and Program extensions and improvements, located at the end of the Housing Element, will more effectively address the housing needs of all income groups between 1999 and 2006.

(C) PUBLIC COMMUNICATIONS REGARDING THE 2000-2010 HOUSING ELEMENT UPDATE

The City published a complete article inviting public involvement in the Update process. Focused mailings were provided to those organizations and individuals on the City's Housing Element Update mailing list regarding the Study Sessions, the Council review sessions and the Community Meeting. Noticing was also provided on the City's cable television station and Web site. In addition, for the Public Hearings, notices were posted and mailed to each impacted property owner and other property owners within three hundred feet of sites proposed for housing or mixed use.

Related correspondence and publicity information are available in the Planning Division office.

7.2 ENDANGERED AND THREATENED SPECIES**MAMMALS**

REITHRODONTOMYS RAVIVENTRIS
SALT MARSH HARVEST MOUSE
FEDERAL: ENDANGERED
CALIFORNIA: ENDANGERED

PLECOTUS TOWNSENDII TOWNSENDII
PACIFIC WESTERN BIG-EARED BAT
FEDERAL: CATEGORY 2

EUMOPS PEROTIS CALIFORNICUS
GREATER WESTERN MASTIFF BAT
FEDERAL: CATEGORY 2

SOREX VAGRANS HALICOETES
SALTMARSH VAGRANT (WANDERING)
SHREW
FEDERAL: CATEGORY 1

BIRDS

RALLUS LONGIROSTRIS OBSOLETUS
CALIFORNIA CLIPPER RAIL
FEDERAL: ENDANGERED
CALIFORNIA: ENDANGERED

ELANUS CAERULEUS
BLACK SHOULDERED KITE
CALIFORNIA: FULLY PROTECTED

ATHENE CUNICULARIA
(WESTERN) BURROWING OWL
CALIFORNIA: SPECIES OF SPECIAL
CONCERN

AGELAIUS TRICOLOR
TRICOLORED BLACKBIRD
FEDERAL: CATEGORY 2

CHARADRIUS ALEXANDRINUS NIVOSUS
SNOW PLOVER
FEDERAL: CATEGORY 2

GEOTHLYPIS TRICHAS SINUOSA
SALTMARSH YELLOWTHROAT
FEDERAL: CATEGORY 2

REPTILES

CLEMMYS MARMORATA PALLIDA
SOUTHWESTERN POND TURTLE
FEDERAL: CATEGORY 2

PLANTS

CORDYLANTHUS MARITIMUS subsp.
PALUSTRIS
NORTH COAST (POINT REYES) BIRDS
BEAK
FEDERAL: CATEGORY 2

LASTHENIA CONJUGENS
CONTRA COSTA GOLDFIELDS
FEDERAL: CATEGORY 1

AMPHIBIANS

AMBYSTOMA TIGRINUM CALIFORNIENSE
CALIFORNIA TIGER SALAMANDER
FEDERAL: CATEGORY 2

RANA AURORA DYAYTONI
CALIFORNIA RED-LEGGED FROG
FEDERAL: CATEGORY 2

INVERTEBRATES

BRANCHINECTA sp.
FAIRY SHRIMP

TRYONIA IMITATOR
MINIC TRYONIA
FEDERAL: CATEGORY 2

ISCHNURA GEMINA
SAN FRANCISCO FORKTAIL DAMSEFLY
FEDERAL: CATEGORY 2

Category 1: Taxa for which the Fish and Wildlife Service has sufficient biological information to support a proposal to list as endangered or threatened.

Category 2: Taxa for which existing information indicated may warrant listing, but for which substantial biological information to support a proposed rule is lacking.

7.3 RESOLUTION OF ADOPTION

RESOLUTION NO. 6957

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GENERAL PLAN AMENDMENT #50 FOR THE 2002-2010 UPDATE OF THE LAND USE AND HOUSING ELEMENTS AND THE LAND USE MAP

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:

WHEREAS, this amendment to the Land Use element and Housing element of the General Plan of the City of Santa Clara has been considered in compliance with the laws of the State of California, after public hearings of the Planning Commission and the City Council; and

WHEREAS, the General Plan of the City of Santa Clara provides direction for land use and the nature of development within the City, consistent with current City policy; and

WHEREAS, it is in the best interests of the City to ensure that the General Plan shall at all times be current with the needs and in the best interest of the general welfare of the City of Santa Clara in light of changing conditions; and

WHEREAS, the Planning Commission has recommended adoption of General Plan Amendment #50, after receipt of public testimony at a properly noticed public hearing, and;

WHEREAS, this General Plan Amendment #50 updates the text of the Land Use and Housing elements and includes changes to the Land Use map for various properties throughout the City to accommodate development of housing, mixed use, and/or public facilities and/or public facilities and/or parks and recreation, and;

WHEREAS, the General Plan Amendment #50 provides guidance for new housing opportunities to improve the jobs/housing balance in the community, and complies with State Housing Law and Regional Fair Share Housing numbers;

WHEREAS, the City Council has reviewed the potential environmental impacts of this action and the mitigating measures;

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AS FOLLOWS:

1. That the Mitigated Negative Declaration be certified, and
2. That the City of Santa Clara's General Plan Amendment #50 and its Land Use Map amendment has been reviewed by the City Council, after receipt of public testimony and input at a properly noticed Public Hearing, and is hereby adopted.
3. Constitutionality, severability.

If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 23rd DAY OF July, 2002, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Diridon, Kolstad, Mahan Matthews, McLemore, and Parle

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Mayor Nadler

ABSTAINED: COUNCILORS: None

ATTEST: J.E. Boccignone
J. E. BOCCIGNONE
City Clerk
City of Santa Clara

7.4 **LIST OF CONTRIBUTORS**

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7.5 TECHNICAL APPENDIX

The Technical Appendix is maintained in the Planning Division office and at the Santa Clara Public Library. The Technical Appendix includes the Final Environmental Impact Report (EIR), Economic and Fiscal Analysis of Santa Clara Report, Traffic Analysis Report and a Community Survey.

7.6 GLOSSARY OF TERMS

The California General Plan Glossary is provided to assist the reader in understanding the General Plan and to ensure that the terms used in the Plan are clearly defined to establish intent and to assist in interpretation. The glossary is not an adopted part of the General Plan. Where the definition of a term is to be adopted, it appears in the text of the General Plan.